

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
JASPER DIVISION

DONNA JO KIRKLAND,

Petitioner,

VS.

Case No. 4:11-cv-3902-TMP

SCOTT WALLS, Warden; and the
ATTORNEY GENERAL of the
STATE OF ALABAMA,

Respondents.

ORDER DISMISSING THE PETITION

The magistrate judge filed his report and recommendation on April 25, 2012, recommending dismissal of petitioner's 28 U.S.C. § 2254 petition for *habeas corpus* relief. On May 9, 2012, the petitioner filed a document titled "Plaintiff's Answer to Magistrate Judge's Report and Recommendation." (Doc. 20). Having now carefully considered *de novo* all the materials in the court file, including the report and recommendation and the plaintiff's response, the court is of the opinion that the magistrate judge's report is due to be ADOPTED and the recommendation ACCEPTED.

It is therefore ORDERED that the petition for *habeas corpus* relief pursuant to 28 U.S.C. § 2254 in the above-styled cause be and hereby is DENIED and DISMISSED WITHOUT PREJUDICE.

Done this 18th day of May 2012.

[illegible]

L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE

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